

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 9, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on June 2, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending June 8, 2011 in the amount of \$ 308,234.35 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of June 2 – June 8, 2011
- Report from the Building Inspector's Office from January 11 – June 7, 2011
- Report from the Parking Violations Bureau for May 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ **1,793,104.25** are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Raideau; Seconded by Councilor Carpenter
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Leonard Duquette 146 Oak Street said great job on the ball fields. But, he spoke about the ball fields and that they need to have someone who knows about ball fields maintain them or they are not going to last very long.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves that Project HOME 2009-8 (Dumas - 7 Underwood Ave) be awarded to Handy Dan D Home Improvement for \$8,828.00 and will be funded by the 2009 HOME program.

By Councilor Tiffer; Seconded by Councilor Carpenter
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2011-6-1 "Purchase Revenue Electric Meters." Bid Opening Date: June 28, 2011 at 11:00 am.

By Councilor Jackson; Seconded by Councilor Calnon
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to award Cox Industries, PMLD Bid No. 2011-5-1 "Utility Wood Poles" in the amount of \$11,435.70.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves that contract for “City Hall Roof” be awarded to Monahan Brothers Inc for the quoted price of \$3,500.00 to repair the existing skylight in City Hall.

By Councilor Carpenter; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the sale of two properties auctioned on June 2nd, 2011, for the collection of delinquent property taxes, provided the auction results are acceptable to the Common Council for the disposal of the properties and the redemption of the property tax liens related to each parcel.

By Councilor Calnon; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to secure appraisals of certain City residential and commercial properties being considered for sale and fund the cost of these appraisals from the 2011 Contingency Fund.

By Councilor Rabideau; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves Susan Daul, Director NCCCA Arts Center to host a “Summer Shenanigans Block Party” on Saturday, June

18th from 10 am – 10 pm using the Westelcom stage and closing Brinkerhoff Street between Marion Street and Margaret Street.

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves one Police Officer to attend the “Advanced Latent Print Processing course: Level II” in Albany, NY from June 13 – 17, 2011 at an estimated cost that will not exceed \$931 and will be paid out of the Asset Forfeiture fund, travel expense.

By Councilor Calnon; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Dave Powell Chief Plant Operator WPCP that Contract # 2011-12 “Instrumentation Services for WPCP” be awarded to Total Control System Services, Inc. for the total lump sum price of \$29,460.00 and that the Mayor be authorized to sign the Maintenance Service agreement for this work.
2. Request from Barbara MacDonald to hold the 9th Annual Mayor’s Cup Bike ride on Sunday, July 10, 2011. They are planning on starting from and returning to the hospital grounds via Prospect Avenue.
3. Request from the City Chamberlain to revise capital project H5110.17 in order to provide sufficient funding for the deck repair of the Web Island footbridge.
4. Request from Kevin Farrington City Engineer that Contract # 2011-13 “Webb Island Foot Bridge Deck Replacement” be awarded to Tracey Trombley Construction Inc. for a total lump sum price of \$36,000. Funding for this project will be from the Webb Island Footbridge Improvements Capital project.
5. Request from Bill Treacy Manager MLD that Bid 2011-3-1 “Evaluation of Electric Power Distribution Transformer” be awarded to WESCO - \$236,115.00, Stuart C Irby - \$73,927.00,

GottoGo Electric -\$29,966.00, ERMCO/Delta-Wye Associates -\$57,665.00 for a total bid award cost of \$397,673.00.

6. Request from the Community Development Office that Project HOME 2009-9, 14 Riverside Ave (Paynter) be awarded to B & E Development for \$12,885. This project will be funded by the 2009 HOME program.

Councilor Carpenter asked **Corporation Counsel John Clute** how the funds are in that Project HOME account are we getting close to depleting them do we need to start thinking about putting in for another.

Corporation Counsel Clute we do have another application pending for it this year. It is difficult for me to give the exact numbers but I think that there is roughly \$500,000 available to do what applications we are receiving this year. But, let me get the exact information to you.

Councilor Carpenter said to me this is one of the more important grant programs we have going and if it really targets the right people.

7. Request from Police Chief Desmond Racicot for two Police Officers to attend the “New York Chiefs of Police Association Annual Training Conference” in Lake Placid, NY from July 17–21, 2011 the cost will not exceed \$1,980 and will be paid out of the Asset Forfeiture fund, travel expense.
8. Request from Police Chief Desmond Racicot for one Police Officer to attend the “17th Annual Drug Recognition Expert Training Conference on Drugs, Alcohol and Impaired Driving” in Montreal, Quebec from July 19- 21, 2011 at an estimated cost that will not exceed \$946 and will be paid out of the Asset Forfeiture fund, travel expense.

10. NEW BUSINESS:

Councilor Jackson submitted his illustrations in to the minutes to show the impact it is going to have on the city titled “historical actual” and “mandate relief flat retirement.” **Councilor Jackson** said I want to talk to everybody and I hope you guys all understand what this proposed Property Tax Cap could mean to us. Granted there’s some new legislation that I found out about in the Assembly today that kind of takes some of the sting out of it. I put together some historical information that I had and a projected information packet. This first page basically just shows the percentages. There’s 3 different bar graphs on here, the first in blue is what are property tax increases and decreases have been since 2007, the yellow bar is the amount of state aid that we’ve been receiving for those 5 years and the red line is the pension expense that we’ve had to pay as a percentage of increase over that 5 year period.

Councilor Carpenter said just to be straight, Chris, we paid that retirement rate to who?

Councilor Jackson said to the state. Just so you know, so we are comparing apples to apples, this is

just the general fund contribution. This isn't our entire pension payment because part of our pension payment comes out of water, part of it comes out of sewer, part of it comes out of MLD. The general fund piece is what this represents and this is the percentage of increase.

Councilor Carpenter said and we don't have a say in how much we pay.

Councilor Jackson said that's correct we don't. [**Councilor Jackson** further explained his data.] It's an unfunded mandate that we're required to pay. And every time you talk about a tax cap what that's going to do is limit our ability to provide services, like improvements on parks are ability to do improvements on roads, our police department, our fire department, the library. All these things are general fund. When they talk about a property tax cap they put the cart before the horse. Instead of doing mandate relief first they put the tax cap in place first. If you look at this last page of the handout you have I kind of used a million dollars as a flat number. This is the wish list if we had been able to maintain a one million dollar general fund payment for pensions I'll show you what the impact would have been to us as the governing body of the City of Plattsburgh. I'm realistic we have to contribute to the pensions. If you turn to the second page, this is the thing that really blew me away. If the State of New York if they have mandate relief of some kind basically our tax rate for 2011, the property tax rate that we levy on the property owners of the City of Plattsburgh was approximately \$10.40 if we had a flat retirement the tax rate per thousand would have been \$9.48 so it would have been almost a \$1 less. It would have been some type of relief. If you cap something without fixing the mandates it's going to impact what services we're going to be allowed to provide next year. I did get some good news that the Assembly has some pension relief in their cap legislation which could help us out. But, that language in the Assembly has to get adapted. After looking at this I am pretty proud of the job we've done. I talked to Richard and said from 2007 to 2011 what things have changed two huge items. First we don't get the \$800,000 worth of Saranac Power anymore and we haven't for a couple of years. And also, back in 2007 when the Mayor came in and he had the Office of the State Comptroller come in, they told us that we were taking too much money out of our water and sewage budgets to supplement the general fund and we fixed that. What they basically told us we were contributing about \$750,000 too much from our water and sewer funds in to our general funds and we put a plan in place and we are in the 4th year of that plan, we have 1 more year. But there's another \$750,000 in revenue that the general fund used to get that it doesn't get. So if you add those two together that's another \$1.6 million in revenue. So this tells me we've done one hell of a job.

Councilor Carpenter said could it happen or do you foresee it possibly happening probably not to us but to another municipality somewhere. The increase in their retirement even by keeping their flat tax rate would push them higher than the tax cap would allow them to go.

Councilor Jackson said if you enact this as a law you're bound by law you can't you have to cut services.

Councilor Carpenter said or personnel or something.

Councilor Jackson said personnel is basis what drives the services. So you cut personnel you cut services, yeah, you are absolutely right.

Councilor Carpenter said on one hand they are telling you, you can't do anything and on the other hand they're but you have to continue to increase this payment and that payment. I'm not sitting down there on the Assembly but I got to imagine someone said why are the taxes so high in New York State and why don't we do something to try and fix it. Why don't we find out what the problem is instead of making it illegal to raise your taxes? Let's make it so the municipalities don't have to raise your taxes.

Councilor Jackson said mandate relief should have come before a tax cap.

Councilor Calnon said I think Chris's figures are really dramatic and shows two things. One I think we have done a pretty good job of watching peoples money. We have 4 unions whose contract impacts the general fund. And one of them has a proposal on the table that would cost approximately \$180,000 a year that's 2% of our tax levy. So if we say we'll accept that contract then the raises we've already negotiated in the other 3 we can't afford to pay. So our choice is either not approve contracts with anything more than like a 1% increase in them or you have to cut. We're going to face a really difficult budget year this year just because contracts that are already in existence will put us over the 2% tax cap and then we are going to be in deep trouble. I think 2012 is going to be one of the most challenging years we've ever had this absolutely guarantees it.

Mayor Kasprzak said I can't put it any better than all of you. I don't sit up at night thinking I'm not going to people raises or take away their benefits or not sign a contract or not take care of a special interest. This tax cap is going to be a challenge. Chris I appreciate what you did here. Let's just say it's a 2% tax cap. The state however is going to raise fees to go in to your parks to make up for their revenue short falls. They're going to raise to go to your campsites, they're going to raise to go to your pools, they're going to raise to go to 27 golf courses that they own. They transferred; this is a small thing, the dog license responsibilities to all of us. Although we're getting some of the revenue it doesn't off set what all those costs are that they gave to everybody they just got out of the dog licensing business in Albany. But, they're telling us we can't raise our things more than 2% so we have to cut all the services that we're going to give people. You're right Jim, I thought that every year's been the most challenging budget I've ever dealt with, but, this one really appears to be something that's going to be new territory. And we're all going to be making tough choices folks so you'd better get ready when the budget times come because it's not going to be too enjoyable and it's not just Plattsburgh. We are much better off with he decisions that Council's have made in the last 4 to 5 years. But all of that hard seems to have gone out the window when you start looking at these things and what the state is mandating us to do and they don't want to handle the mandates that they have.

Councilor Jackson said everybody has been patting themselves on the back about the tax cap but they don't have any idea the impact it's going to have on us.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
MEETING ADJOURNED: 6:00 pm